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5 The Honorable James L. Robart
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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

9 TILE TECH, INC., a California Corporation,

10 Plaintiff and Counterclaim Defendant,

11 v.

12 APPIAN WAY SALES, INC., a Washington
13 Corporation, and PUGET LITE-PAVERS, INC.,
a Washington Corporation,

14 Defendants and Counterclaimants.

15 -and-

16 APPIAN WAY SALES, INC., a Washington
17 Corporation, APPIAN WAY, LLC, a Washington
18 Limited Liability Company, and PUGET LITE-
19 PAVERS, INC., a Washington Corporation,

20 Counterclaimants,

21 v.

22 TILE TECH, INC., a California Corporation,

23 Plaintiff and Counterclaim Defendant

Case No. 2:17-cv-01660-JLR

**(PROPOSED) ORDER GRANTING
JOINT MOTION TO STAY
PENDING MEDIATION**

24 THIS MATTER came before the Court on the Joint Motion to Stay Pending Mediation
25 ("Joint Motion") by Defendants and Counter-Plaintiffs Appian Way Sales, Inc. ("Appian") and
26 Puget Lite-Pavers, Inc. ("Puget"), Counter-Plaintiff Appian Way, LLC (collectively with

(PROPOSED) ORDER GRANTING MOTION TO STAY
PENDING MEDIATION - (2:17-CV-01660-JLR) - 1

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1 "Appian" and "Puget," "Appian/Puget"), and Plaintiff and Counter-Defendant Tile Tech, Inc.
2 ("Tile Tech").

3 NOW, THEREFORE, having considered the Joint Motion, and finding good cause, it is
4 ORDERED that the Joint Motion is GRANTED. All deadlines in the above-captioned matter
5 (with the exception of the pending Defendants' Motion to Stay Proceedings Against Puget (Dkt. #
6 35)) shall be stayed until June 20, 2018 for the purpose of permitting the parties to focus their
7 efforts on settling their dispute in mediation.

8 It is FURTHER ORDERED that, if the case does not resolve in mediation on or before
9 June 20, 2018:

10 (1) Appian shall promptly move for partial summary judgment of invalidity under 35
11 U.S.C. § 102 on the basis of prior invention, printed publication, on sale bar, and related activity
12 by Appian and other third parties ("Appian's Motion for Summary Judgment");

13 (2) Appian's Motion for Summary Judgment shall not count towards Appian's allotted
14 page count for summary judgment motions pursuant to Local Civil Rule 7(e);

15 (3) Tile Tech shall not oppose the Appian's Motion for Summary Judgment on the
16 grounds that it is premature;

17 (4) The remainder of the deadlines in the case shall remain stayed pending resolution of
18 Appian's Motion for Summary Judgment;

19 (5) Within 14 days of the Court's ruling on Appian's Motion for Summary Judgment, the
20 parties shall submit a revised proposed Scheduling Order to the Court.

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1 IT IS SO ORDERED.
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3 DATED this 26 of April, 2018.

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6 The Honorable James L. Robart
7 United States District Judge
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Presented by:
FOX ROTHSCHILD LLP

By /s/ Gavin W. Skok
Gavin W. Skok, WSBA No. 29766

Attorneys for Defendants/Counterclaimants
Appian Way Sales, Inc., Appian Way, LLC,
and Puget Lite-Pavers, Inc.

(PROPOSED) ORDER GRANTING MOTION TO STAY
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